

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

In Re the Application of: Stephen N. Donnigan, Jeffrey S. Lewis, and Lance E. Smith

Title: Decoy Moving Apparatus and Methods

Serial Number:

Filed: July 15, 2003

Group Art Unit:

Examiner:

Assignee: Dynamic Decoy Technologies, LLC

DECLARATION FOR PATENT APPLICATION

This Declaration is made by Stephen N. Donnigan, Jeffrey S. Lewis, and Lance E. Smith.

I, Stephen N. Donnigan, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 10428 Victoria Drive #A, Knoxville, TN 37922, USA.

I, Jeffrey S. Lewis, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 2307 Hampshire Court, Fort Collins, CO 80526, USA.

I, Lance E. Smith, hereby declare:

- I am a citizen of the United States of America and that my residence and mailing address is: 54 Blue Heron Drive, Thornton, Colorado, 80541; USA.

We, Stephen N. Donnigan, Jeffrey S. Lewis, and Lance E. Smith, each hereby declare we are the original, first, and joint inventors of the subject matter which is claimed, described and for which a patent is sought on the invention now entitled "Decoy Moving Apparatus and Methods" the specification of which has/have been provided to me/us at or prior to the time of signing this

declaration. We have reviewed and understand the contents of this specification as above entitled, including any claims.

We also believe that we are the original, first, and joint inventors of the subject matter in:

- United States Provisional Application Number 60/395,930 filed July 15, 2002 (the AOriginal US Application”) entitled “Moving Decoy Base”.

We hereby claim the benefit under Title 35, United States Code §119 of US Provisional Application 60/395,930 filed July 15, 2002; there are no foreign applications having a filing date before that of the application on which priority is claimed.

We hereby declare that the specification and disclosure herein submitted is intended to include disclosure or claims directed to, individually or in combination: embodiments of the invention which may encompass a device, apparatus, method, process, or business method; embodiments of the invention which may encompass permutations or combinations of any aspects of the invention; any aspect of the invention conceived or developed as separate inventions; and any aspect of the invention independent of any initial context considered as preferred embodiments. We also authorize and support this application for patent protection in the United States, and for similar protection in foreign countries, each to be sought to the extent or breadth any owner desires or deems appropriate. We acknowledge that each of the attorneys and the firm filing this application are attorneys for the assignee Dynamic Decoy Technologies, LLC only.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby grant the firm of Santangelo Law Offices, P.C., the power to insert on this Declaration or any other document any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the Invention.

SIGNATURES:

Date: 7/15/03

Stephen N. Donnigan
Stephen N. Donnigan

UNITED STATES OF AMERICA)
STATE OF TENNESSEE)ss.
COUNTY OF KNOX)

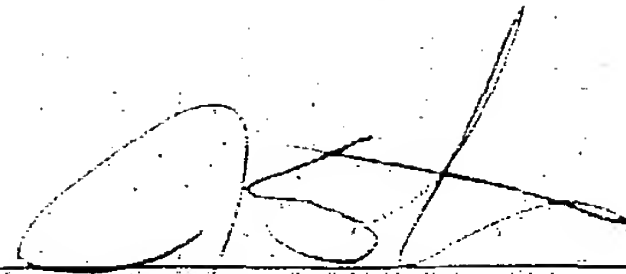
SUBSCRIBED AND SWORN to before me in the County of KNOX, State of
Tennessee, United States of America, by Stephen N. Donnigan, this 15 day of July, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary
Public by the State of Tennessee.

Caryn C. Govey
Notary Public
My Commission Expires: 11/30/04



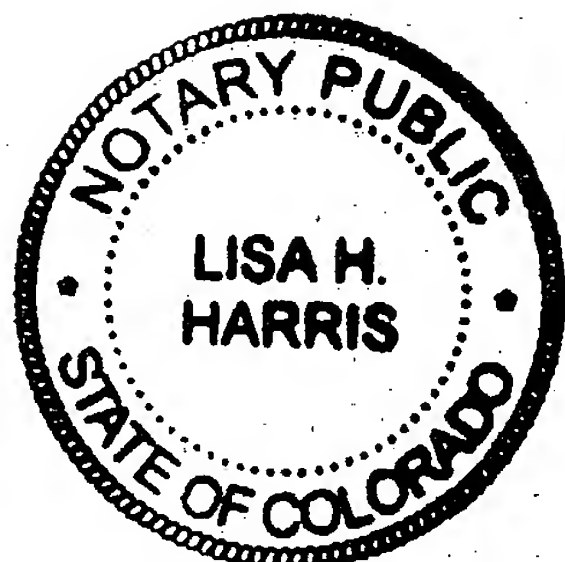
Date: 7-15-03


Jeffrey S. Lewis

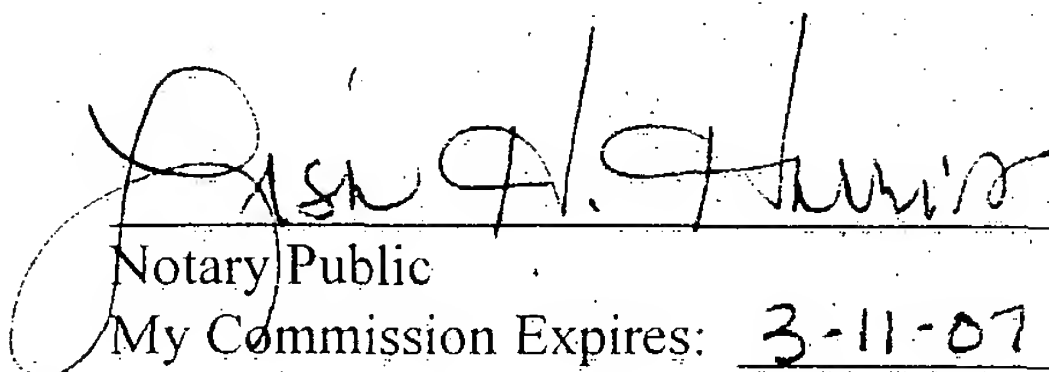
UNITED STATES OF AMERICA)
STATE OF COLORADO)ss.
COUNTY OF LARIMER)

SUBSCRIBED AND SWORN to before me in the County of Larimer, State of Colorado,
United States of America, by Jeffrey S. Lewis, this ____ day of July, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary
Public by the State of Colorado.



*My Commission Expires Mar. 11, 2007


Notary Public
My Commission Expires: 3-11-07

Date: 7/15/3

[Signature]
Lance E. Smith

UNITED STATES OF AMERICA)
STATE OF COLORADO)ss.
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me in the County of _____, State of Colorado, United States of America, by Lance E. Smith, this ____ day of July, 2003.

WITNESS my hand and official seal pursuant to the authority vested in me as a Notary Public by the State of Colorado.

Notary Public
My Commission Expires: _____

OR

Date: 7/15/3

[Signature]
Witness

Attorney Docket: DynDecoy-US Nonprov
Express Mail No: EV 272195823 US

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Title: Decoy Moving Apparatus and Methods

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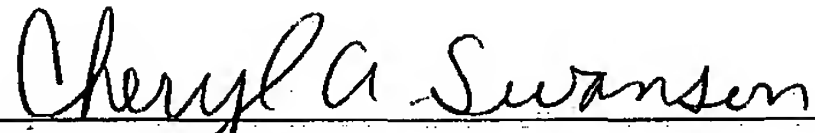
Assignee: Dynamic Decoy Technologies, LLC

CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Declaration for Patent Application of Stephen N. Donnigan, Jeffrey S. Lewis, and Lance E. Smith with the United States Postal Service as "Express Mail" for mailing to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 15 day of July, 2003.


Cheryl A. Swanson

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Assignee: Dynamic Decoy Technologies, LLC

POWER OF ATTORNEY

I, Jeffrey S. Lewis as Managing Member of Dynamic Decoy Technologies, LLC, hereby appoint Santangelo Law Offices, P.C., whose mailing address is 125 South Howes, Third Floor, Fort Collins, Colorado 80521, including Luke Santangelo, whose registration number before the United States Patent and Trademark Office is 31,997, Craig R. Miles, whose registration number before the United States Patent and Trademark Office is 45,954, Chad C. Soliz, whose registration number before the United States Patent and Trademark Office is 47,101, Alfred K. Wiedmann Jr., whose registration number before the United States Patent and Trademark Office is 48,033, and Nicole A. Ressue, whose registration number before the United States Patent and Trademark Office is 48,665, as Dynamic Decoy Technologies, LLC's attorneys to prosecute this application entitled "Decoy Moving Apparatus and Methods" and to transact all business in the Patent Office connected therewith. The undersigned grants the firm of Santangelo Law Offices, P.C., the power to insert on any document filed in this matter any further identification which may be necessary or desirable in order to indicate filing information or to comply with the rules of the United States Patent Office or any foreign patent office for recordation of this document, including, but not limited to, inserting the application number, the execution date, mailing information, or the filing date of the above-identified United States Patent Application based upon the Invention. The undersigned also acknowledges that the attorneys appointed are attorneys for the assignee, Dynamic Decoy Technologies, LLC, only.

Dated this 15 day of July, 2003.

By:


Jeffrey S. Lewis, Managing Member
Dynamic Decoy Technologies, LLC.

Attorney Docket: DynDecoy-US Nonprov
Express Mail No: EV 272195823 US

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I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, 3rd Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Power of Attorney for Dynamic Decoy Technologies, LLC with the United States Postal Service as "Express Mail" for mailing to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 15 day of July, 2003.


Cheryl A. Swanson

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**STATEMENT ESTABLISHING SMALL ENTITY STATUS
(SMALL BUSINESS CONCERN)**

I, Jeffrey S. Lewis as Managing Member of Dynamic Decoy Technologies, LLC, pursuant to 37 C.F.R. Section 1.27(c) state that the following facts are true:

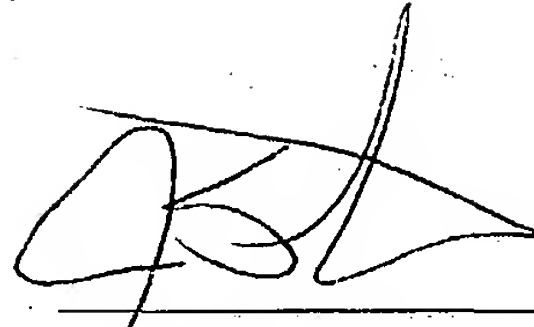
1. I am Managing Member of Dynamic Decoy Technologies, LLC. As such, I am empowered to act on behalf of the Assignee.

2. As set forth in 13 C.F.R. § 121.802, Dynamic Decoy Technologies, LLC is an entity whose number of employees, including those of its affiliates, does not exceed 500 persons and which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the subject matter of the enclosed Patent Application to another entity that does not qualify under small entity status. Accordingly, Dynamic Decoy Technologies, LLC appears to qualify as a small business concern as defined in 37 C.F.R. § 1.27(a)(2).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 15 day of July, 2003.

By:



Jeffrey S. Lewis, Managing Member
Dynamic Decoy Technologies, LLC

ultimate\flash\appl-smentity

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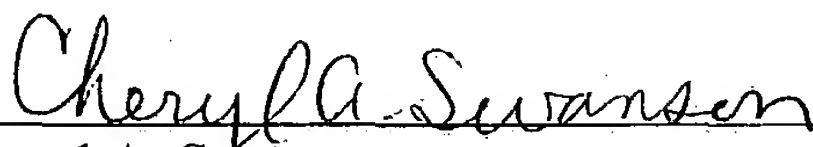
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1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Statement Establishing Small Entity (Small Business Concern) with the United States Postal Service as "Express Mail" for mailing to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 15 day of July, 2003.


Cheryl A. Swanson